NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

BIAX CORPORATION,

Plaintiff-Appellant,

v.

NVIDIA CORPORATION,

Defendant-Cross Appellant,

AND

SONY COMPUTER ENTERTAINMENT AMERICA, INC. AND SONY ELECTRONICS, INC.,

Defendants-Cross Appellants.

2013-1649, -1653, -1654

Appeals from the United States District Court for the District of Colorado in No. 09-CV-1257, Judge Philip A. Brimmer.

ON MOTION

ORDER

NVIDIA Corporation, Sony Computer Entertainment America, Inc. and Sony Electronics, Inc. (collectively "Appellants") move for an extension of time to file their Case: 13-1649 Document: 36 Page: 2 Filed: 01/15/2014

BIAX CORPORATION v. NVIDIA CORPORATION

principal and response briefs. The court deems it the better course to stay the briefing schedule pending its review of Appellants' motion to stay proceedings pending the Supreme Court of the United States' final disposition of *Highmark Inc. v. Allcare Health Management Sys., Inc.*, No. 2012-1163 and *Octane Fitness, LLC v. Icon Health & Fitness, Inc.*, No 2012-1184.

Accordingly,

IT IS ORDERED THAT:

The briefing schedule is stayed pending the court's review of Appellants' motion to stay proceedings pending the Supreme Court of the United States' final disposition of *Highmark Inc. v. Allcare Health Management Sys., Inc.*, No. 2012-1163 and *Octane Fitness, LLC v. Icon Health & Fitness, Inc.*, No 2012-1184.

FOR THE COURT

/s/ Daniel E. O'Toole Daniel E. O'Toole Clerk of Court

2